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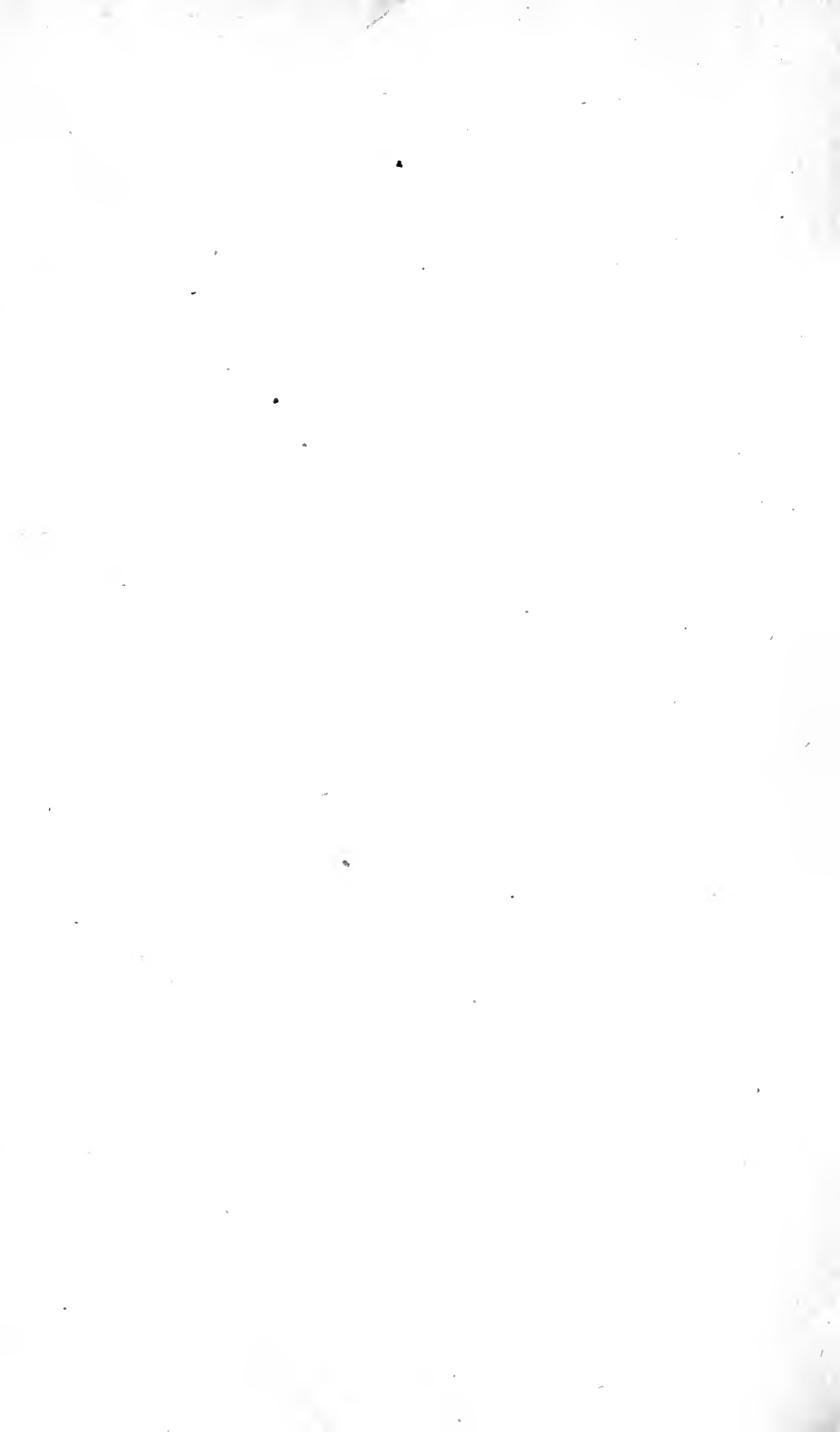
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A CALENDAR  
OF THE CONTENTS OF  
THE RED BOOK OF THE IRISH EXCHEQUER.

BY JAMES FREDERICK FERGUSON, ESQ.

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From the Proceedings and Transactions of the Kilkenny and South-Eastern Archæological Society, January 18, 1854.

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THE Red Book of the Irish Exchequer has been adverted to by several writers. Each has selected some portion of its contents to which his remarks have been confined, but the entire record has not hitherto received that full description to which, from its nature and antiquity, it is undoubtedly well entitled. Sir John Davys refers to it in his "Historical Relations." Patrick Darcy in his "Argument delivered in 1641 by the express order of the House of Commons," makes mention of it also. Parts of it have been long since transcribed, and will be found in the MS. in Trinity College, Dublin, entitled E. 3. 20. Gorges Edmond Howard, in his "Treatise of the Exchequer and Revenue of Ireland," Dublin, 1776, vol. i., p. 14, makes mention of it also, but merely states that the chief remembrancer "has in his custody the Red Book of the Exchequer," and adds, in the Appendix, No. 1, vol. ii., p. 47, the oaths of the officers and ministers of the Court of Exchequer, and of some others, taken from the same book. In the year 1820 Dr. Henry Joseph Monck Mason, in the Transactions of the Royal Irish Academy, gave a fac-simile of an ancient drawing of the Court of Exchequer which appears upon one of the leaves of the Red Book, accompanied by a short and, I think, an inaccurate description of it. Lynch, in his "Feudal Dignities," refers to this book, and to many of the entries appearing in it. William Henry Black, Esq., has

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recently published amongst the "Transactions of the Chronological Institute of London," the memorabilia, which are inserted in the old Calendar; and the writer of this paper has on two or three occasions transmitted to the Editor of "Notes and Queries" copies of several entries therein, calculated to throw light upon some of the many interesting questions from time to time appearing in that wide-spread publication. This book is also referred to in the English Record Reports, and transcripts of Statutes have been made and published from it.

There can be little if any doubt, that the earliest entries in this book have not been made at a later period of time than during the reign of King John or of Henry III. It is probable that the Canon of the Mass and the Calendar are not of a later period. That the Magna Charta Hiberniæ of the first year of Henry III. was therein recorded at the time that it was made, is, I think, unquestionable, and, therefore, it is not going too far to say, that the Red Book of the Exchequer, as a national muniment, from its nature and antiquity, takes precedence of all other records in Ireland.

The ancient pagination has been erased, and a more modern paging has been substituted by some rude and unskilful hand, whence it becomes somewhat difficult to say in what form this record originally stood. The binding of the book (as I have been informed by a gentleman whose opinion is of value) is not of an earlier date than George III.'s time, and consequently it is not now presented to us in its original form. The book is written partly on vellum and partly on parchment, and consists of 179 pages.

As it requires more time and attention to decipher a large portion of the handwriting of this manuscript, which is much defaced through time and careless guardianship, than I have as yet been able to devote to it, I feel that justice is scarcely done to so valuable a record by giving to it a hasty description, but as, each day that passes, it is liable to many casualties, and as hitherto no attempt has been made to elucidate its contents, the following short description is now submitted, in the hope that at some future time the entire book, or at least the greater part of it, may be published.

I am inclined to think that the Red Book originally consisted of two separate parts, and I shall therefore now describe it as if it were divided into two distinct portions, namely, Parts I. and II.

**PART I. Folios 1-6.**—Upon these folios are written an ancient Calendar, similar to that which has been published by the Archaeological Society of Ireland.<sup>1</sup> As each folio consists of two pages, each month occupies a page, i.e. there are six folios, or twelve pages, being one page for each of the twelve months. At the top of each

<sup>1</sup> "The Book of Obits and Martyrology of Christ Church, Dublin," pp. 60-74.

of these pages, Latin lines have been written, descriptive of unlucky days, and these lines will be found in a recent number of "Notes and Queries." Scattered here and there throughout the entire Calendar, there have been from time to time inserted memoranda of remarkable events: these have been transcribed by one who has done more to rescue valuable records from decay and obscurity than perhaps any other in modern times, and whose antiquarian skill and ability are well known (William H. Black, Esq., of London), who has published them, as I have already mentioned, in one of the papers of the Chronological Institute. At the foot of one of the pages of this Calendar, namely, the second page, which is devoted to the month of February, the following Latin lines have been written:—

Post nonas Februarii novam Lunam quere  
Inde quartam feriam proximo venere,  
Ibi festum Cinerum prudentes fecere  
Nunquam per hanc regulam tu dissipiere.

It is probable that the foregoing lines contain a rhythmical direction for the finding of Ash Wednesday.

The ancient Calendar to which I have adverted is followed by the Canon of the Mass, and as it is a perfect as well as a very ancient copy, it is well worthy of the examination of those who take an interest in the early ecclesiastical rites and ceremonies. The Canon of the Mass occupies sixteen pages, namely, from page 49 to page 64.

This Canon of the Mass is followed on page 64 by two lines, which cannot be deciphered by the writer of this paper at present, and these lines are followed by other Latin lines descriptive of the meaning attached to the forms of taking an oath upon "the book" (*librum*), having reference, as I presume, to the Bible, and not to the Red Book. As these lines have recently appeared in "Notes and Queries," I conceive it to be unnecessary to repeat them here. Upon the same page is given, in the Norman French, the oath taken by the members of the King's council, but so much defaced that it is scarcely possible to decipher the greater part of it.

Assuming that I am correct in the opinion I have formed, that the Red Book originally consisted of two distinct parts, I would say, that the above-mentioned Calendar, and Canon of the Mass, and also the above-mentioned oath of the King's councillors, as well as the oaths of sheriffs, mayors, and bailiffs, of the judges of the several courts, and of the treasurer of the Exchequer, and of the escheator, were also included in that first part, and I am also inclined to think that the Magna Charta Hiberniæ of the first year of Henry III. also formed a portion of the original book.

The several oaths to which I have above adverted are written in Norman French, and a transcript in what is usually called "long

Latin," of the Magna Charta, will be found in the Appendix to the first volume of Leland's History of Ireland : it is also referred to in a publication called the "Law Reporter," wherein a short account was many years past given by the writer of this paper of the points of difference existing between this and the great Charter of King John for England.

Various entries which appear in the Books of Orders of the Court of Exchequer show that the officers of the Crown in Ireland were sworn upon the Red Book, and the form in which the oaths were administered is manifest by the present appearance of many of its vellum leaves, which have been partly worn away by the frequent pressure of the lips of high officials ; so much so that many of the memorabilia of the Calendar cannot now be deciphered. One of the entries to which I have above alluded, descriptive of the mode in which the oath of office was administered to a Lord Mayor of Dublin, has been read at one of the recent meetings of the Kilkenny Archaeological Society.

PART II.—As the first part consisted, as I conceive, of the above-mentioned records or documents, so does it, of necessity, follow, that the remaining records of which the book is also now composed must have been added to it, and these additions appear to me to have been made from time to time, at various intervals, between the reigns of Edward I. and Charles II. I shall now enumerate and briefly describe these additional records, not taking them in their order as to dates, but as they follow each other in the book.

Page 1.—The first page does not contain anything more than mere scribbling, amongst which the only perfect line appears to be

*Anglorum regi scola scribit sola.*

Page 2.—The second page contains seven Latin couplets reflecting in unmeasured terms upon the English nation (*gens Anglorum*), the sense whereof merely can be discovered, in consequence of their having sustained much injury through carelessness or other causes. Amongst other things they are accused of occasioning loss to French property, and they contain a statement that God would sanctify whomsoever [would punish] them. It is somewhat curious that the name William Black here appears in the margin, and the name of Alison Aylmer is also here inserted.

The above lines are followed by a memorandum that nothing was answered (probably by the escheator) of the rents and issues of the estates of Richard de St. Michael, at Waspaileston, county of Dublin, because they were granted in fee-farm to Geoffrey le Botiller, and his wife, the daughter and heir of the said Richard. This record bears date in the September of the second year of Edward II. Immediately under it are these lines :—

Donec mare erit siccum  
Nunquam pauper habebit amicum.

And then these verses :—

Tempore felicii multi nominantur amici  
Dum oportune periit nullus amicus erit.

The above are followed by a memorandum of the second year of Edward II., that the village of Castlemore, in the county of Cork, had accounted for a sum of £69 6s. 8d., the arrears of murage which had not been expended upon the walls (in opere posito). Then follows a memorandum of the twenty-fourth year of Edward III., that by letters patent from England it appears that no officers or ministers, the treasurer excepted, should be admitted to any office in Ireland under English patents, unless found to be fit and able (*idoneos et habiles*), by the justiciary, chancellor, treasurer, and council of Ireland.

The above is followed by a memorandum of the same date, that magnates of England having lands in Ireland should find men at arms.

Then follows a memorandum of the forty-third year of Edward III., being a note of a Statute of that date, chap. 8, relating to the manner in which sheriffs and bailiffs of franchises should render their accounts.

This is followed by a note stating, that it appears by the memoranda roll of the forty-sixth year of Edward III., mem. 16, that William [ ] and his wife Johanna, owed the King £20 9s. 4d.

Page 3.—This page commences with the Statute passed at Dublin in the eleventh year of Henry II., whereby it was enacted that sheriffs should be thenceforth elected by the people. This Statute is *not* to be found amongst the *printed* Acts of Ireland.

This Statute is followed by a memorandum whereby it appears that in Hilary Term, in the forty-sixth year of Edward III., Isabella, the widow of John Wogan, was charged with two marks, being the profits of certain sessions held before him as a justice of the peace of the county of Kildare; by another memorandum of the same date, relating to the fruits and emoluments of Ambrosetown, due to the King in consequence of the owner's absence; by another entry to the effect, that it appears by the Memoranda Roll of the twentieth year of Richard II. that certain evil-doers had carried away certain goods and chattels, value ten marks; and by a further memorandum, stating that it appears by the rolls of the collectors of the customs of the city of Cork, that something had been done, which cannot be deciphered, with some horse-skins by a man named Shorlyng.

Then follow, upon the fourth page, the Acts or Ordinances made in a Parliament at Westminster, and enrolled on the Memoranda

Roll of the fifth and sixth years of Edward III., consisting of eight clauses, the three last of which are much defaced. By an English writ or mandate which precedes these Acts, it appears that the justiciary, chancellor, and treasurer were directed to cause them to be held and observed in Ireland towards the quieting and tranquillizing of the country.

As the Red Book is now bound, the oaths of sheriffs, mayors, and bailiffs, of judges, of the treasurer and escheator, here follow. These, as I have already mentioned, formed, as I conceive, part of the Red Book as it stood originally, and are therefore included in Part I. In the vacant spaces between two of these oaths, the following Latin verses and lines have been inserted :—

Ecce modum mirum femina que fert breve Regis  
Non tangendo virum convictum robore legis.

Nasceris et moreris, quod preterit inter utraque  
Crede supervacuum preter amare Deum.

Proximus extremus quibus intimus adde suppremus  
Infimus addatur duplex gradus hiis tribuatur. [Et declinatur.]

These are followed, on the sixth page, by the degrees of comparison of the words “prope,” “extra,” “intra,” “supra,” “supremus,” “infra,” and “infimus.”

Page 8.—At the commencement of this page, there is entered a writ or mandate tested at Westminster by the King himself, and dated the 17th of December, in the first year of Henry IV., which recites the Act of Absentees passed in the third year of Richard II., and commands the Lord Lieutenant and the Chancellor and Treasurer of Ireland, to cause the Act to be observed in all its articles. This writ is followed by a memorandum that the Statute of Absentees, upon which the following writ was founded, was entered in the White Book of the Exchequer. The writ, which is set forth *in hæc verba*, is dated at Drogheda, the 28th of June, in the fourth year of Richard II., and bears the teste of Edmund de Mortimer, Earl of March and Ulster, the then Lord Lieutenant. It recites very fully the Act which was passed at Westminster in the then last Parliament, and directs the Treasurer and Barons of the Exchequer to search the rolls, writs, and memoranda of the Exchequer in their custody for the purpose of obtaining more full information as to the lands, rents, offices, benefices, &c., of those who were absentees in the time of Edward III., and in the hands of that King by pretext of the ordinance made by him at Guildeford, and also to inquire, by the oaths of good and lawful men, what lands, &c., belonging to absentees, have not been seized, on behalf of the Crown, in consequence of their not sending people to occupy their places, and to return inquisitions thereupon,



so that two-thirds or one-third of the profits of their estates might be applied towards their defence as the Ordinance directs. A memorandum is added at the foot of this writ, stating that the above-mentioned patent and writ remain amongst the writs from England of the third year of Richard II., being in the custody of the Chief Remembrancer.

Upon the ninth page there is an entry or enrolment of the Statute passed at Westminster (27 Edw. III., chap. 1), entitled in the margin the "*Custuma Hiberniæ*," directing the payment to the Crown of customs upon wool, woolfells, lead, and so forth, and this Act is concluded upon that page, but is much disfigured by the injudicious use of tincture of galls.

Page 10 is devoted to part of a mandate or writ tested by Thomas de Burgh, the Treasurer, and dated the 17th of January, in the seventh year of Edward II., reciting a grant of the small customs, called the three-penny customs, made to Edward I. by foreign merchants, and that the King had appointed two collectors to receive the said customs at the town of Ross; and directing all persons to aid the collectors in such their duty.

At the foot of this mandate there is a memorandum that the Statute above referred to is enrolled upon the Memoranda Roll of the thirty-first year of Edward I.

Page 13 commences with the Grievances which were laid before Edward III., on behalf of the people of Ireland, by John Archer, the Prior of St. John of Jerusalem, and Master Thomas Wogan, in the sixteenth year of that monarch's reign. This very interesting and curious state paper occupies seven pages of the Red Book, but as they are to be found fully set forth in Rhymer, vol. ii., part ii., p. 1193 (the last edition), as well as in Prynne's "*Fourth Institute*," p. 35, it is unnecessary to advert to them here at any greater length.

At the foot of page 20 there is an entry of the Statute passed at Westminster, on Monday next after the feast of Easter, in the thirty-first year of Edward III., making the chancellor and treasurer, aided by the barons of the Exchequer, judges of appeal in cases of error arising in that Court. This is followed on the same page by an entry of the Act passed at Westminster, on Monday next after the feast of St. Mark the Evangelist, in the twenty-eighth year of Edward I., in relation to the duty of escheators in cases of livery, being the "*Statute for Escheators*," which is printed with the Statutes of the Realm (p. 142), and is dated in the twenty-ninth year of Edward I.

Page 21.—This page commences with a copy of a writ tested by the King at Westminster, and dated the 20th of February, in the forty-first year of Edward III., whereby the King states that, considering the constant fealty of his prelates and other magnates, and also of his people of Ireland, and the losses they had sustained by reason of the wars for a long time arisen in that land, whilst they

had endeavoured to preserve the King's honour, and to defend the land against his Irish enemies, thereby exposing themselves to various perils; and being desirous, as becometh the royal majesty, to increase their estate so that they might in future be more prompt in their services; the King states that he has pardoned all their debts due to him, and which had been incurred prior to the 13th of October, in the thirty-sixth year of his reign, excepting, however, from the benefit of this grant all treasurers, escheators, sheriffs, and other ministers and farmers who had received money to the King's use out of the chattel property of the Crown's debtors.

Page 22.—Upon this page there is entered a memorandum that by virtue of the above-mentioned pardon, on the 23rd of November, in the forty-ninth year of Edward III., it was accorded by the Treasurer and Barons that a sign equivalent to the word *pardon* should be placed upon the Pipe Rolls opposite to the names of the debtors thus exonerated by this grant.

The same page is devoted also to a copy of the Statute of the thirteenth year of Richard II., to restrain admirals and their deputies from holding their courts within franchises, and restricting them to questions as to things done upon the sea. Another Statute of a similar kind, passed the fifteenth year of Richard II., immediately follows, whereby the power of admirals is also limited and defined.

Page 23.—Upon this page there is entered the Statute of the fourteenth year of Richard II., chapter 10, relating to customers and comptrollers. This Statute is followed by these lines, which were probably written in the year 1627, by Robert Kennedy, Esq., the then Chief Remembrancer, whose name is added to them:—

Illum nullus amat, qui semper  
da mihi clamat.

Qui facit contra conscientiam,  
edificat sibi Jehemiam.

Page 24.—On this page the following lines have been written:—

Ludens ignorans me defendendo docendo,  
Prelati jussu si præmonitus ferat arma,  
[Si] cum conjuncta michi reperio muliere,  
Percussi clericum sine pena casibixistis.

Sedens sede ista, Judex inflexibilis sta.

Sint tibi lucerna, lux, lex, pellisque paterna.

The above lines are followed by the Latin verses which describe the four causes why the cross should be adored, and which verses have already appeared in one of Mr. Prim's papers, on Way-side Crosses, printed in the Transactions of the Kilkenny Archæological Society.

The following three couplets are then given, but many of the words at present are scarcely decipherable:—

Mane greca gens incipit, astra sequentes  
In medio lucis, Judeus vespere sancta  
Inchoat . . . medio sub tempore noctis.

Quicquid centorum series fecit ovidiorum.  
Continet iste liber tam paucorum foliorum.

Page 25.—This and part of the succeeding page are devoted to the Statutes or Ordinances of the third year of Edward II., passed at Kilkenny (as is stated in the Index), consisting of eleven chapters. By the last chapter of these Ordinances the Irish archbishops, bishops, and other prelates, were directed to cause them to be read and published in every cathedral church, and, amongst other things, to excommunicate all who should disobey them. At the foot of these Ordinances there is entered a certificate stating that by their authority the Archbishop of Cashel, Bishops of Ossory, Emly, Lismore, Leighlin, and other prelates, on the 12th of February, in the great church of St. Canice, Kilkenny, in the presence of Richard, Earl of Ulster, John Wogan the Justiciary, Richard de Clare, John Fitz-Thomas, John de Barry, Maurice de Rupe, and many other magnates, and with their assent, pronounced a sentence of excommunication (which is also here set forth), whereby the said prelates, by the authority of God, of His Son, of the Holy Ghost, the Virgin Mary, St. Michael, of all Angels, Saints Peter and Paul, and all the apostles, martyrs, confessors, and virgins, excommunicate, anathematize, damn, and exclude from the rights of holy mother Church all who violated or disturbed, or caused to be violated or disturbed, the King's peace, or gave counsel or aid to the disturbers and violators of the said peace. This sentence is followed by an additional piece of legislation, whereby the said Justiciary and Council make an Ordinance relating to sheriffs, but the entry appears to be incomplete;<sup>1</sup> and thus ends the 26th page.

Page 27.—The Statutes enacted in a Parliament held at Dublin in Easter month, in the thirteenth year of Edward II., before Roger de Mortimer, the then Justiciary, are set forth upon this and the two succeeding pages. These Acts are *not* to be found in the

<sup>1</sup> Upon an examination of these Statutes with the printed Acts of the third Edward II., being the first to be found in the authorized edition of the Statutes of Ireland, I find the variances to be so great that it appears to be scarcely possible that they are the same Acts. At present I am inclined to think that the Statutes entered in this part of the Red

Book are *not* printed. Mr. Hardiman has given, from the Red Book, a transcript of the sentence of excommunication above referred to.—“Statute of Kilkenny,” p. 120. Printed by the Irish Archaeological Society, in a volume entitled, “Tracts relating to Ireland,” vol. ii.: probably the most interesting of their entire series.

authorized edition of the Irish Statutes, but are included in the "List of public General Acts, not found in the printed edition," which was published by the Chancery Record Commissioners in the year 1830.

Page 30.—Upon this page the following Latin verses have been written:—

Linco coax Ravis Ora corvis navar navis,  
Ad logicam perge mortem non tunc eris.

Verte retro roma melius duravit tua poma.

Arbor inest silvis que scribitur octo figuris,  
Inde tribus demptis, vix unam mille videbis.

Est verbum sine p, quod servit nocti dieique,  
Si cum p, poteris tunicam facere tibi si vis.

Lex est defuncta, quia Judicis est manus uncta.  
Propter unguentum, jus est in carcere tentum.

The foregoing verses are followed by the oath taken by collectors of customs, set forth in the Norman French.

Page 31.—Upon this page has been entered the Statute passed at Dublin in the eleventh year of Henry IV., called the Statute of Labourers. It prohibits the exportation of husbandmen from Ireland by mariners without license; and it also enacts, that sheriffs shall be chosen by the commons of counties. This Statute is *not* printed, but is included in the List of the unpublished General Acts to which I have already adverted.

Page 32.—At the commencement of this page there is entered an Act which is called "A good Statute for the people"—"Bone Estatute pur le people." It, as well as the above-mentioned Statutes, is written in the Norman French, but, being much defaced, is scarcely decipherable. It seems, however, to give power to the treasurer and barons of the Exchequer to "atterminate" debts due to the King which are less in amount than £300. I do not find this Act either amongst the printed Statutes, or inserted in the List of those that are yet unpublished.

A pen-and-ink sketch of the Court of Exchequer occupies the remainder of this page. A fac-simile of this sketch accompanies this paper, taken from a copper-plate in the writer's possession. A short description of it has been already published in "Notes and Queries." With respect to the several human figures appearing in this sketch, it appears to me to be probable that the six persons who are placed at the top are officers of the Court; that the three figures to the left are judges; that the three to the right are suitors; and that a sheriff is seated at the bottom. To the right, at the top of the sketch, is the crier, who appears to be in the act of adjourning the Court, by exclaiming, "A demayn," a form of adjournment still

observed by the same officer, who says, "To-morrow, God save the Queen," when the Court is about to rise. The officer to the left is probably the second remembrancer, who holds in his hand a membrane of parchment containing the words, "Preceptum fuit vicecomiti per breve hujus scaccarij." The figure at his right hand is perhaps the chief remembrancer. He is in the act of examining his pen, and holds in his hand a slip of parchment whercon are written the words, "Memorandum quod x<sup>o</sup> die Maij, &c." At his right hand we perceive an officer who is in the act of writing upon a piece of parchment which is placed upon his left knee, while his left foot rests upon the table. This person is probably the clerk of the Pipe, who is preparing a writ commencing with the words, "Henricus dei gratia." The figure to the extreme left of the picture holds in his hand a slip of parchment containing the words "Exiit breve vicecomiti." This may be the marshal of the Exchequer, and the officer he is addressing is probably the usher. With respect to the judges, it is difficult to determine whether they are all barons, or whether two of them are the treasurer and chancellor of the Exchequer. One of them says, "Soient forpez," and the other, "Voyr dire." Madox tells us that "accounts were to be rendered at the Exchequer upon oath. When the accountant had been sworn *de fidei compoto reddendo*, he entered upon and went through his account. In some records mention is made of the accountant's answering at the Exchequer *per fidem* or *per verum dictum*. Whether this *fides* and *verumdictum* was the same with an oath, or in what respect different from it, I am not prepared to determine; but I am inclined to think it was rather a *voire dire*, or a declaration upon their faith or allegiance, than an oath." This passage may explain the meaning of the words, *voyr dire*. Placed before the judges are the "Baga cum rotulis," the Red Book, and the counters which Madox says "were sometimes used at the Exchequer in the way of computation." And there is also placed upon the table a King's letter, or a petition, commencing with the words, "Ceo vous." Three suitors are standing at the right of the picture—onesays, "Oy de brie," another, who is extending his arm as if he were in the act of challenging some person or statement, exclaims "Chalange," and the third says, "Soit oughte." One of the most prominent figures in the sketch is a suitor, who may be easily distinguished from the rest by his laced boot, ample sleeve, the buttons upon his coat, and his sword, which, by the by, is placed at his right side. It will be perceived that the hands of this person are placed in a somewhat striking position, i.e. the thumb of his left hand is placed between the fore and middle finger of his right. And this may be explained by the following extract from Johnson's Dictionary. "To *fig*, in Spanish, *higas dar*, is to insult by putting the thumb between the fore and middle finger. From this Spanish custom we yet say in contempt,

*A fig for you.*" A sheriff, who is seated at the bottom of the sketch, bears upon his head the leathern cap which was placed upon that officer at the time that he was undergoing an examination in Court in relation to his accounts. Such is, I fear, but an imperfect description of this sketch of the Court of Exchequer, which, as Madox informs us, was in the olden time fitted up "with a square chequer-board, and seats about it for the treasurer, barons, clerks, and ministers, and with a bar for those who plead and attend there." Some lines which appear to have been written at the bottom of the sketch are altogether obliterated, but the Latin verses that have been written upon the three remaining sides may be still partly deciphered. Of some of these lines transcripts have been here already given, inasmuch as they appear upon other pages of this book, as, for instance, the lines commencing with the words—"Propter unguentum"—"Lex est defuncta," and "Sedens sede ista," and the remaining line is as follows:—

Judicium recti non munere nec prece flecti.

Page 33.—At the commencement of this page there is entered a memorandum that on the 4th of May, 17 Edward II., the King commanded the Chancellor of Ireland to cause to be published and observed in Ireland the Statutes that had been lately edited at Lincoln and York. The writ thus referred to, which is witnessed by the King himself at Nottingham, on the 20th of November, in the seventeenth year of his reign, is then set forth *in hæc verba*, and the writ is followed by the Statutes therein referred to. The Acts passed at York terminate at page 36. The Act passed at Lincoln will be found amongst the printed "Statutes of the Realm" (9th Edw. II., page 174). Those of the twelfth year of Edward II., passed at York, are also to be found amongst the same printed Statutes at page 177.

Upon the same page also is entered the Statute against Protections of the tenth year of Henry IV., followed by an Act of the sixth year of the same King, apparently confirming the Statute of Westminster the first, and to the effect that, when application by petition is made to the King for any fee or annuity, the petitioner shall state the value of the thing he prays for, so that the King may not be deceived in his grants.

The 37th page of the Red Book, as it now appears, was, as is evident by the old pagination, which is still to be traced, the first page of some book, and this may have been the commencement of the first part of the Red Book to which I have already alluded.<sup>1</sup>

<sup>1</sup> From page 37 to page 64 are entered the ancient Calendar and the Canon of the Mass which have been already described.



*Engraving*  
W.A.



A VIEW OF THE COURT OF EXCHEQUER

Engraved from an Original Sketch drawn in the Reign of Henry IV<sup>th</sup>  
which is in the Red Book in the Chief Remembrancers Office

— FOUR COURTS DUBLIN. —



Page 65.—This page commences with a statement in law Latin of the sums received by the “Register” of English money for the making and stamping of coin ; which is followed by a statement in the Norman French of the proper weights of pence, half-pence, and farthings. Then follows a letter, or probably part of a letter, written in the Norman French, whereby the writer (whose name is not given) informs the person to whom it is addressed (whose name also does not appear) that he has sent to him by Lapé, the money changer (*le changeur*) of London, certain “strong” and “weak” pence, and also some half-pence and farthings. The above is followed by a memorandum, that on *Sunday* (*die Dominica*), the 7th of November, in the twenty-second year of Edward I., Master Wm. de Wymundham, the Keeper of the King’s Exchanges in England, by the directions of W. Bishop of Bath and Wells, the Treasurer, had sent to the Treasurer of Ireland, Lord W. de Esendene, twenty-four pieces of coin to make money thereof (which are here described) by John the miner, Thomas Doul, and John of Mhordich (the Moorditch), of the Society of Moneyers in the London Exchange, to make such money ; and that in the presence of Roger de Chykewelle, Barthw. of St. Albans, Jno. de la Donne, John Cleinehand, Adam of Mhordich, William of Brehon, and Peter de Hardres, the said twenty-four pieces of coin were delivered to the said John, Thomas, and John, under the sign (*sub signo*) of the said Keeper.

The preceding memoranda are followed by another, stating, that on Friday next before the feast of St. Patrick, in the thirtieth year of Edward I., the petition which follows *in hæc verba* was delivered to Friar William of Ross, Prior of St. John’s of Jerusalem and Deputy Chief Justice in the council chamber. Of this petition nothing more can be discovered than that the applicant is a female named Johanna, and that she appears to complain of the bailiffs of Dublin.

Page 66.—There then follows on page 66 a small portion of a memorandum to the effect (as I presume) that the Statutes which are thereafter set forth *in hæc verba* were transmitted from England to the Lord Deputy J. Wogan. These Statutes relate to the base money called Pollards and Crocards, and are *not* printed in the authorized edition of the Irish Statutes ; they are, however, to be found amongst the printed Acts of the Realm, at page 131. The writ transmitting these Acts to Ireland is dated the 15th of May, in the twenty-seventh year of Edward I.

Pages 67 and 68.—The above are followed on pages 67 and 68 by the oath of the justiciary, the oath of sheriffs and bailiffs, and the oath of the judges ; and these three oaths are in Norman French.

Page 68.—To this page there is attached an original writ tested by the Treasurer of Ireland, J. de Rees, on the 26th of

October, in the eleventh year of Edward I., and directed to the sheriffs of Dublin, wherein it is stated, that by reason of the urgent necessity the King had for money in Ireland, as for the keeping of the King's peace and other arduous business specially relating to that country, the King had directed the treasurer and barons of the Exchequer at Dublin to collect all debts due to the King, with the greatest diligence and despatch, notwithstanding any "atterminations" made; wherefore the treasurer commands the sheriff to levy, without delay, all the debts that were then due to the Crown within his bailiwick, bringing into the Exchequer, day after day, the money paid to him. The endorsements upon the writ made by the chief serjeant, the bailiff of St. Sepulchre's, and the sheriff, are not material, and it is therefore not necessary to do more than say that they appear.

Pages 69 to 73.—The *Magna Charta Hiberniæ*, to which I have already adverted, is inserted (as the Red Book is now bound) between the oaths lastly above mentioned and the following memorandum, which is entered on page 73 :—

Be it remembered, that the letters which came from the Roman Court for the Kings Bailiffs lest they might be excommunicated are [deposited] in the great trunk or coffer in the Tower.

And then follow these lines :—

*Res est grata senem juveniliter esse jocosum,  
Gracius est juvenem moribus esse senem.*

*Inconstans animus, oculus vagus, instabilis pes,  
Hec hominis signa sunt, de quo nulla boni spes.*

*Gratia nulla perit nisi gratia grey (why) monachorum  
Est et semper erit unthoug in fine laborum.*

*Tempus preteritum, tempus presensque futurum  
Discretus recolit, fatuus nullum nisi presens.*

*Sunt tria nigrorum devastant res monachorum,  
Renes et venter, et pocula, sumpta frequenter.*

Pages 74 and 75.—The *Articuli Cleri Hiberniæ* are entered upon these pages. A transcript of these, as well as of other parts of the book, has been made by the writer, who conceives that these *Articuli Cleri*, as well as the other unpublished portions of this volume, are well worthy of publication.

Page 76.—There is entered upon this page a memorandum in the law Latin, commencing with the words, "Walter de Lacy gives the Lord the King 4000 marks for having his land in Ireland." There is no date to this record. It is referred to by William Lynch, Esq., in his "*Feudal Dignities*," and is also printed in the first volume of the *Irish Record Reports*, p. 160.

Page 77.—Upon this, and part of the following page, are entered the Statutes of the twenty-first of Edward I., which are not printed amongst the Statutes of Ireland, but are included in the List of the unpublished Statutes to which reference has been already made. The writ that was transmitted from England to the treasurer and barons of the Exchequer here, whereby they were directed to cause the said Statutes to be observed, is also entered upon this page, and bears the date of the 12th of July in the same year.

Page 78.—A writ of the 11th of March, in the thirteenth year of Edward I., tested by the then Lord Deputy Thomas Fitzmaurice, Earl of Kildare, at Dublin, and addressed to the treasurer and barons of the Exchequer, is entered on this page. It states that the Acts recently passed at Naas were therewith sent to them, and directs that they should be observed. This Act is included in the List of unpublished Statutes.

Page 79.—By the MS. Index to the Red Book the Statute enrolled on this page is called the Statute of Rutland. It is the English Statute of the twelfth year of Edward I., as to "Provisions made in the Exchequer," and is printed on page 69 of the published Statutes of the Realm.

Page 80.—The oath of sheriffs, mayors, and bailiffs in the Norman French is entered on this page.

Pages 81 to 91.—Upon these pages are entered the Statutes of Westminster the first, which are to be found amongst the printed Statutes of the Realm, page 25, by which it appears that they were taken from the copy which is entered in this Red Book, affording undoubted evidence of its value and importance.

Pages 92 to 96.—Upon these pages the Statutes passed at Gloucester are enrolled. These Acts are printed, and will be found amongst the Statutes of the Realm, at page 45.

Pages 97 to 119.—Upon these pages are entered the Statutes of Westminster the second. These are also printed amongst the Statutes of the Realm, and will be found at pages 71 to 95. Upon page 119 are also given several Latin lines (which appear also in another part of the book), with these additional lines:—

*Semper est et erit similis, similem sibi querit.*

*Vocativos oculos, ablativos loculos, gerunt mulieres.*

*Si dātis fueris genētis eris quocumque veneris.*

*Hiis diebus jam transactis nulla.*

*Fuge cetum feminarum,*

*Namque status omnis harum,*

*Parva dat stipendia.*

*Si sit virgo, quam tu gliscis,*

Dampna rerum concupiscis,  
 Cordis et incendia.  
 Maritatum si tu amas,  
 Pacem spernis te defamas,  
 Incendis periculum.  
 Vidua hæc est elata,  
 Fraude plena, delicata,  
 Eris ei ridiculum.  
 Monialis hec si placet,  
 Semper petit, nunquam tacet,  
 Radit ut navicula.  
 Si bagute facieris  
 Mox per eam diffameris,  
 Linguam fiet ut facula.

Page 120.—There is nothing but scribbling upon this page.

Pages 121 to 127.—Upon these pages is entered a calculation table in the handwriting of the time of Charles I. or II.

Page 128.—This page commences with a transcript of what appears to be an Act of Parliament relating to the privileges claimed and enjoyed by the officers of the Exchequer. At the close of the Act mention is made of the Great Council held at Dublin, on the Friday next before the feast of St. Luke, which was confirmed in the Parliament held at Drogheda on (Monday) next before the feast of St. Mark the Evangelist, in the twenty-eighth of Henry VI., being the same year in which the said Great Council was held. The latter of these Statutes is inserted in the list of *unpublished* Acts, with, however, this note:—"N.B.—*Some* of these are printed."

The above-mentioned enrolment is followed by a writ tested by W. T. (William de Tynbegh), the Chief Baron, and dated the 18th of March, but the year of the King's reign is not given, relating to a proceeding or action of trespass brought in the King's Bench, against one Richard Hill, a minister of the Treasurer, contrary to the privileges enjoyed by Exchequer officers, and directing such suit to be presented in the Exchequer Court. This writ is directed to the Justices of the King's Bench; and as William de Tynbegh was Chief Baron between the years 1414 and 1419, this writ was, of course, written at that time. A paper copy of it is at present bound with the rest of the Red Book.

Page 133.—At the commencement of this page there is entered a Statute, apparently of the date of the twenty-eighth year of Henry VI., relating to verdicts given at inquests, but I do not find it amongst the printed Statutes.

This is followed by another copy of the above-mentioned writ, tested by Chief Baron Tynbegh.

Page 134.—Upon this page there is written some music in score and of ancient date, followed by a Latin hymn to St. Nicholas.

Page 135.—Upon this page there is also written a Latin prayer, commencing with the words, “Eterne Rex altissime redemptor et fidelium.” This is followed by eight lines beginning with the words, “Ut queant laxis resonare fibris mira gestorum famuli tuorum solve poluti.” Then follow two lines commencing with “Fuit homo missus a Deo.” Eight Latin lines succeed the foregoing, which is apparently a prayer addressed to the Virgin Mary; and two lines very indistinctly written complete this page.

I am inclined to think that the music and prayers upon pages 134 and 135 have some connexion with an ancient custom that is still observed in the Court of Exchequer, namely, the singing of an anthem and the repeating of some prayers by one of the ministers, and by the choristers of Christ Church, once in every Term. It would occupy too much space at present to give in detail a history of this singular custom; it may, however, be stated, that whenever this ceremony was performed, an entry was made in one of the rule-books of the Court to the effect that “the chauntor of Christ Church brought into Court the vicars choralls and performed their accustomed service and homage due to his Majestie, by singing an Antheme and saying certain collects and prayers, which being done they had warrant under the Barons hands directed to the Vice Threasurer for receiving their wonted fee of ten shillings sterling.” The music in the Red Book is not formed, as at this day, of round dots, but of perpendicular dashes or strokes; neither is it divided by bars. The supposition that it was that which was sung by the choristers of Christ Church at the time of the rendering of their homage is in some degree strengthened by the line which is placed beneath it, namely, “et debet incipi a secundario Rememoratori;”—that the second remembrancer (one of the principal officers of the Court), who was in all probability a *clericus* or clerk, should commence the anthem (if such it be); and as the words “Eterne Rex altissime” are also placed beneath the music, it is not unlikely that the words of the prayer given below, which is evidently addressed to our Saviour, were those by which the music was accompanied.

The hymn to St. Nicholas which follows it, and which was probably written in the time of Henry IV. or V., is as follows:—

Sospitati dedit egros olei perfusio,  
 Nicholaus naufragantum affuit presidio,  
 Relevavit a defunctis defunctum in binio,  
 Baptizatur auri viso judeus judicio,  
 Vas in mari mersum patri redditur cum filio.  
 Ergo laudes Nicholao concinat hec concio,  
 Nam qui corde possit illum pro pulsato vicio,  
 Sospes egrediatur.

To this hymn succeeds, upon page 135, these lines:—

Eterne rex altissime redemptor et fidelium quo mors soluta,  
Deperitidatur triumphus gratie scandens tribunal dextero patris,  
Potestas omnium collata est Jesu celitus que non erat humanitus,  
Ut trina rex machina celestium terrestrium et infernorum condita,  
Flectat genu jam subdita tremunt videntes Angeli versa,  
Vice mortalium culpat caro purgat caro regnat deus dei caro,  
Tu esto nostrum gaudium qui es futurus premium sit nostra in te gloria,  
Per cuncta semper secula. Gloria tibi domine qui scandis supra,  
Sidera cum patre et sancto spiritu in sempiterna secula.

Page 136.—A *Tabula Regum* is entered upon this page. This Table has been printed in “Notes and Queries.”

Page 137.—This page consists of four separate writs, probably of the reign of Edward IV. It is scarcely necessary to describe these writs at present in detail.

Pages 139 to 142 are either blank or contain but mere scribbling.

Pages 143 to 146 appear to have originally formed a portion of the old cover of the Red Book. They are supposed to be part of a very old treatise on the laws of motion.

Pages 147 and 148.—Upon these pages the oath of allegiance is written, in the handwriting of the time of James I. or Charles I.

Pages 149 and 150.—These pages are blank.

Pages 151 to 177.—These pages contain the oaths of public officers and ministers, which are printed in the second volume of Howard’s “Revenue and Exchequer.”

Page 178.—This contains the names of those who were the officers of the Exchequer in the year 1626.

Page 179.—This, which is the last page, contains the oath of a Commissioner of Appeals, and a memorandum, that on the 26th of September, 1662, Sir James Ware, Sir William Ussher, John Povey, Esq., and Peter Wybrants, Alderman, came before “the Lord Cheefe,” and severally took the said oath.

The *Annals* or *memorabilia* which were written upon the Calendar of the Red Book are now much defaced, and as many of the entries appear to have been heretofore transcribed, and are now to be found in one of the MSS. of Trinity College, Dublin [E. 3. 20. pp. 304–306], copies have been thereof made, and are here printed.

Ex Rubro Libro Scaccarii Hiberniæ.

Memorandum quod Johannes Stanley miles juratus fuit in officio locumtenentis marchionis Dublinensis in Hibernia, 18<sup>o</sup> die Septembris anno regni regis Richardi II. [ ].

Idem Johannes Justiciarius Hiberniæ applicuit 22<sup>o</sup> Octobris anno regni regis Richardi II. 13<sup>o</sup>, in eadem terra.

Obiit Edmundus comes Marchie, &c., A.D. 1424.

Anno regni regis Edwardi filij Edwardi III. occisus fuit J. de Bonevill per Arnaldum de Poer, Willielmum de Lynet et alios.

Anno regni regis Edwardi II. obiit magister T. Cantoke episcopus Imelacensis et cancellarius Hibernie.

Die martis quinto die Februarij anno regis Edwardi III. post conquestum regni sui Anglie 15°, regni vero sui Francie primo, obiit frater Rogerus Outlawe, prior hospitalis Sancti Johannis Jerusalem in Hybernia, et tenens locum Johannis Darcy Justiciarij Hybernie, et cancellarius Hybernie.

Die lune 23° die Februarij anno regni regis Edwardi III. 40° venit Henricus de Brysley pro assaiam minarum in Hibernia faciendum, &c.

Die lune 10° die Aprilis anno regni regis Edwardi III. 20° lecta fuit commissio domini Rogeri Darcy justiciarii Hybernie. Eodem die lune A.D. 1413 coronatus Henricus V. apud Westmonasterium.

A. D. 1399 Richardus rex Anglie II. applicuit apud Waterford.

Anno regni regis Edwardi III. post conquestum 5° venit Antonius de Lucy justiciarius et Thomas de Burgh thesaurarius Hybernie.

Preconizatur dominus Theobaldus de Verdun justiciarius Hibernie, A.D. 1318.

Die mercurii in translatione Sancti Edwardi anno regni regis Edwardi III. 43° dominus Willielmus de Windesore locumtenens domini regis in Hibernia applicuit Dublinensi.

Anno regni regis Henrici VI. 6° Johannes Sutton miles locumtenens Hibernie applicuit in Hibernia.

Die jovis 29° die Junij anno regni regis Edwardi III. 20° lecta fuit commissio domini Walteri de Bermyngham Justiciarii Hyberniæ.

Die veneris 10° die Julii anno 40° regni Edwardi III. vac° Henricus de Brysley assaiator minarum in Hybernia.

Anno regni regis Edwardi 30° confusi fuerunt et occisi comes de Artoys et alii magnates Francie juxta Cortray in Flandr. per ipsos Flandr. viz.:— 6 comites et 40 bannereti et alii sine numero.

Die jovis 15° die Julij anno r. r. Edwardi III. post conquestum Anglie 18° et Francie quinto, lecta fuit commissio Radulphi de Ufford justiciarii Hybernie in Scaccario Regis.

Die martis 23° die Augusti circa horam decimam anno r. r. Henrici V. secundo, arripuit Stephanus Lescrop chevalier deputatus domini Thome de Lancastr seneschalli Anglie filii regis, locumtenentis Hyberniæ, unacum T. archiepiscopo Dublinensis cancellario Hybernie apud Clontarf.

Die lune decapitatus fuit Mauricius de Caunteton felo domini regis in monte de Slemargi per Willielmum de Rupe et fratres suos exeuntes in comitiva Johannis Wogan justiciarii Hybernie, et plures cum eo.

Per diem Sabbati A. D., 1318, fuerunt disconfusi omnes Scoti inter Dondalke et le Faghered, et Edwardus le Bruys, Johannes de Soules et alii proceres de Scotia quamplurimi occisi per Johannem de Byrmengham, Milonem de Verdoun et Hugonem de Stapelton capitales duces communis populi Urielis et Midie, et sic per manus communis populi et dextram Dei deliberatur populus Dei a precogitata et machinata servitute.

Memorandum quod in meridie diei veneris A. D., 1394, Richardus II. rex Anglie et Francie post conquestum applicuit terræ Hiberniæ apud

Waterford cum grandi exercitu, ad inimicos suos et rebelles Hybernie intens debellandum et castigandum, &c.

Johannes comes Wigornie deputatus &c., applicuit apud Houth anno 7° regis Edwardi IV.

Decimo tertio die Octobris anno 11° Edwardi III. venit Dublinensi Johannes de Cherleton justiciarius Hybernie.

Die jovis dominus Thomas de Rukeby justiciarius Hybernie prestitit sacramentum de officio justiciarii Hibernie anno r. r. Edwardi III. post conquestum Anglie 30°.

Johannes comes Salopie applicuit apud Dalkey anno 25° regis Henrici VI.

Die jovis fuit David de Caunteton suspensus pro feloniam quam commisit contra regem, anno r. r. Edwardi tertio.

Die lune 27° die Novembris anno r. r. Edwardi III. 21° lecta fuit commissio fratris Johannis Larcher prioris hospitalis Sancti Johannis Jerusalem in Hybernia locumtenentis Walteri de Bermyngham justiciarii Hibernie.

Memorandum quod die lune in festo Sancti Magni regis et martiris viz.:—19° die Augusti anno r. r. Henrici VII. 19° erat bellum de Knockthoo in Connacia latum per Geraldum comitem Kyldarie et maiorem et cives Dublinensis et Droghede et aliorum Anglicorum Midie et Fyngallie, nullo Anglico in bello illo leso, et tamen fuerunt ibidem interfecti ex parte M<sup>r</sup>William Ricard Obrene et Okerell 4000 de optimis capitaneum galloglassorum suorum, &c. laus Deo.

Memorandum quod 20° die Decembris anno r. r. Edwardi III. post conquestum Anglie 23° lecta fuit commissio domini Thome de Rokeby de officio justiciarii Hybernie.

Memorandum quod A. D. 1329 occisus fuit dominus Johannes de Bermyngham comes Louth.





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